

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

United States of America

v.

Brandon Lee GARZA

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 04, 2019 in the county of Jim Hogg in the
Southern District of Texas, the defendant(s) violated:*Code Section*

8 USC 1324

Offense Description

Knowing and in reckless disregard of the fact that an alien had come to, entered, and remained in the United States in violation of law, did transport and move and attempted to transport and move and conspired to transport and move such alien within the United States by means of transportation and otherwise in furtherance of such violation of law.

This criminal complaint is based on these facts:

Continued on Affidavit

☒ Continued on the attached sheet./S/Joshua Steele*Complainant's signature*Joshua SteeleBorder Patrol Agent*Printed name and title*

Sworn to before me and signed in my presence,

Date: December 05, 2019*Judge's signature*City and state: Laredo, TexasSam SheldonU.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

In support of Criminal Complaint

UNITED STATES OF AMERICA

CRIMINAL COMPLAINT

V.

Brandon Lee GARZA

Case Number:

1. On December 4, 2019, United States Border Patrol Agents (BPAs) arrested Brandon Lee Garza after he was found transporting one illegal alien in furtherance into the United States. These events occurred near Hebbronville, Texas in Jim Hogg County.
2. BPAs were working roving patrol duties near Farm to Market Road (FM) 1017 and FM 2686 at approximately 12:30 a.m. on December 4, 2019. A BPA observed a blue Ford Fusion make a quick and abrupt turn at the intersection of FM 1017 and FM 2686; the vehicle disregarded the stop sign. A second BPA proceeded to follow the vehicle and conduct vehicle registration/stolen checks via service radio. While waiting for the records to return, the BPA observed the vehicle weave in and out of the lane and cross the solid white line on the shoulder numerous times.
3. The vehicle records returned and the BPA was informed the vehicle was registered in Edinburg, Texas. The BPA recognized the route of travel north through Farm to Market Roads was not a direct line of travel to and from Edinburg. With the headlights of passing vehicles, BPA observed the passenger of the vehicle look back towards his service unit and duck down as if attempting to hide.
4. The BPA activated his emergency equipment to conduct a vehicle stop; the vehicle yielded. The BPA approached the vehicle and noticed the driver had not rolled down his windows. The BPA identified himself as a BPA, and the driver, Garza, proceeded to slowly roll down the window. Garza attempted to quickly hand out his Texas driver's license to the BPA and stated that the passenger, later identified as Areli Rodriguez-Nava, was his girlfriend. Garza volunteered this information without being prompted to.
5. The BPA proceeded to conduct an immigration inspection on the two passengers. Garza was the only one who answered and verbally replied he was a United States Citizen. The BPA then again questioned the passenger as to her citizenship; Rodriguez-Nava stated she did not have any form of identification and disclosed to the BPA that she was a Mexican citizen and national, and she was illegally present in the United States. Both subjects were placed under arrest and transported to the Hebbronville station for further investigation.
6. Garza was read his Miranda Warnings as per service form I-214. Garza acknowledged and agreed to provide a statement without an attorney present. Garza stated that he knew he was arrested on this occasion for smuggling an illegal alien. He stated his plan was to have the illegal alien sit next to her and attempt to smuggle her through the Border Patrol Checkpoint located on FM 1017. He stated he coached the illegal alien on what to say when questioned by BPAs. After crossing the checkpoint, he was going to wait at a gas station in Hebbronville, Texas and continue his travel north to San Antonio, Texas. He was going to wait for confirmation of payment in San Antonio, then drive towards his final destination of Houston, Texas. He accepted an offer by a subject whom Garza identifies as "Martin" to smuggle the illegal alien for \$1,000 USD. Garza claims to have picked up the illegal alien in McAllen, Texas right before driving north towards Hebbronville, Texas. Garza stated he has smuggled aliens twice before; once successfully through Falfurrias, Texas, while he was apprehended on November 18, 2019 at the FM 1017 Border Patrol checkpoint while smuggling one Honduran national.
7. Mexican national Areli Rodriguez-Nava claims to have made arrangements in Mexico to be smuggled into the United States with a final destination of Houston, Texas. She agreed to pay \$4,500 USD upfront and an additional \$2,000 USD once she arrived to Houston, Texas. She claims to have illegally entered the United States from Mexico on November 27, 2019 near Donna, Texas. She remained in the United States at several houses until today when she was picked up to be transported towards Houston, Texas. She stated that the driver of the vehicle told her his name was Brandon Garza and also coached her on how to reply to

immigration officers when questioned about her citizenship. She stated that Garza rehearsed with her to say she was a United States Citizen when questioned. Rodriguez-Nava stated they drove for approximately one hour and twenty minutes before being stopped and arrested by immigration.

SUBSCRIBED and SWORN to before me on

5th

day of

December, 2019

Signature of Judicial Officer

/S/ Steele, Joshua Border Patrol Agent

Signature of Complainant